



**Agenda Item Number: 2009-6-8B**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** May 26 2009

**Department:** Commission **Staff Contact:** John Dantis, Deputy County Manager  
John H. Garcia, Chief of Fire & Rescue  
Frank Barka, Deputy Chief  
Chris Gober, Fire Marshal

**TITLE:** Public Hearing to consider adoption of a Resolution banning the use of fireworks

**ACTION:** Conduct a public hearing to determine if the extreme or severe drought conditions continue to exist within the specified Fire Districts of the unincorporated areas of Bernalillo County.

Motion to approve a Administrative Resolution AR -2009 banning the use of all Fireworks in the East Mountain areas, and along the Bosque areas of the unincorporated areas of Bernalillo County as outlined in number 1,2, and 3 of the summary.

### **SUMMARY:**

New Mexico Statute NMSA Section 60-2c-8.1 (E)(F)(G) and (H) authorizes local governing bodies of counties to ban the use of fireworks in severe or extreme drought conditions. The proposed resolution will ban the use of fireworks in the following areas of the County

1. Fire District #5: All of the Wildland in the unincorporated areas east of Louisiana Boulevard to the west face of the Sandia Mountains and from San Antonio north to the Sandia Indian Reservation.
2. Fire Districts #6, 10, 11 and 13: East Mountain Area, north, south, and east to the County line.
3. Fire Districts #1, 2, 3, 4, 7, 8 and 9: Portions of the unincorporated areas to include the Rio Grande Bosque and Wildland areas extending 1000 feet from the outer edge of the Bosque.
4. On March 5, 2009 the Board issued a Resolution banning ignition sources in Bernalillo County.

On March 5, 2009 AR 11-2009 was passed which declared that a severe drought exists in Bernalillo County. The County is in an on-going drought, although there has been some improvement from the recent precipitation, Wildland fuels are drying out quickly from the warm temperatures, high winds, and dry conditions. The most recent U.S. Seasonal Drought Outlook indicates that the warmth and dryness to become more prevalent mid-May through June, promoting north and westward expansion of Above Normal significant fire potential. The potential for large Wildland fires in Bernalillo County remains at above normal levels. The Rio Grande River corridors have the potential for active to very active fire behavior. Fireworks are another source of ignition in the severely dry, drought conditions currently existing in Bernalillo

County. Fireworks account for a large number of human caused Wildland fires each year during the 4<sup>th</sup> of July holiday season.

The ban is necessary to reduce the risk of wildland fires, which pose a threat to timber, vegetation, and property. Fighting fires greatly exhaust the resources of the County Fire and Rescue Department. The National Weather Service indices and the New Mexico State Forestry Division report that due to lack of precipitation, high winds, and low humidity, Wildland areas throughout the entire state are at a high hazardous risk level for burning. A resolution may be modified or rescinded within its thirty-day period by the Board upon conducting an emergency hearing to determine if weather conditions have improved. Upon Board approval the resolution will become effective beginning June 6, 2009.

**ATTACHMENT:**

1. Administrative Resolution **AR -2009** Declaring Extreme Drought Conditions

**FISCAL IMPACT**

None

**STAFF ANALYSIS SUMMARY**

**COUNTY MANAGER**

I recommend the Board approve the Resolution banning the use of open fires, campfires and smoking in the areas presented in this agenda item. Fire dangers are still very high and the County Fire Department is concerned that unless this ban is implemented, potentially dangerous conditions exist. TL 5/20/2009

**DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY**

In an effort to minimize the possibility of wildland and bosque fires this summer season, the Fire and Rescue Department is recommending approval of the attached resolution. Weather conditions and the lack of moisture have placed areas in Bernalillo County at high risk. I recommend approval of this item. JDantis 05/18/09

**LEGAL**

Approved as to form and legal sufficiency. JSL 5/18/09